

## **COLORADO INDEPENDENT ETHICS COMMISSION**

Minutes of the October 20, 2020, Meeting  
Meeting Conducted by Web Conference

Present: Chair Elizabeth Espinosa Krupa; Vice-Chair William Leone; Commissioner Selina Baschiera; and Commissioner Yeulin Willett.

Also Present: Dino Ioannides, IEC Executive Director; and Gina Cannan of the Colorado Attorney General's Office.

### **I. GENERAL BUSINESS**

1. Due to COVID-19, the meeting was conducted by web conference. Chair Espinosa Krupa called the meeting to order at 9:03 a.m.
2. The Commission invited public comment and received none.
3. Upon motion duly seconded, the Commission unanimously (Commissioner Leone not participating) approved the minutes of the September 15, 2020, meeting.
4. Mr. Ioannides provided the staff report. Commissioner Leone joined the meeting during the staff report.
5. The Commission considered Advisory Opinion 20-03. The requester was present. Upon motion duly seconded, the Commission unanimously approved the opinion for issuance as drafted.
6. The Commission called Complaint 19-26. Commissioner Willett recused himself. Counsel for both parties entered their appearances. By unanimous consent, the supplemental report of investigation was approved for release to the parties (Mr. Ioannides immediately emailed the supplemental report of investigation to the parties). The Commission heard argument from the parties on the Respondent's motion to dismiss.
7. Commissioner Willett rejoined the meeting. At 10:28 a.m., upon motion duly seconded, the Commission voted unanimously to enter executive session pursuant to C.R.S. § 24-6-402(3)(a)(II), for purposes of receiving legal advice on specific legal questions related to the Respondent's motion to dismiss in Complaint 19-26.
8. Immediately after the vote to enter executive session, Commissioner Willett recused himself.

### **II. EXECUTIVE SESSION BUSINESS**

9. The Commission recessed from 10:28 a.m. to 10:37 a.m.

10. The Commission (Commissioner Willett recused) met in executive session from 10:37 a.m. to 10:48 a.m. for purposes of receiving legal advice on specific legal questions related to the Respondent's motion to dismiss in Complaint 19-26.

### **III. GENERAL BUSINESS**

11. The Commission returned to open session at 10:48 a.m.
12. The Commission (Commissioner Willett recused) deliberated on the Respondent's motion to dismiss in Complaint 19-26.
13. Upon motion duly seconded, the Commission unanimously (Commissioner Willett recused) granted Respondent's motion to dismiss in Complaint 19-26. A written order will be considered for approval at a subsequent Commission meeting.
14. The Commission called Complaints 20-21 and 20-22. Parties were not present. Having received the Respondents' responses, the Commission directed staff to commence the investigation, with instructions.
15. At 11:04 a.m., upon motion duly seconded, the Commission voted unanimously to enter executive session pursuant to C.R.S. § 24-6-402(3)(a)(II) and (III), to discuss Complaints 20-11, 20-66, 20-67, 20-68, 20-69, 20-70, 20-71, 20-72, and 20-73, for purposes of receiving legal advice on specific legal questions, and which are required to be kept confidential pursuant to Article XXIX, §5(3)(b) of the Colorado Constitution.

### **IV. EXECUTIVE SESSION BUSINESS**

16. The Commission met in executive session from 11:04 a.m. to 12:20 p.m. concerning Complaints 20-11, 20-66, 20-67, 20-68, 20-69, 20-70, 20-71, 20-72, and 20-73. Commissioner Willett recused himself for the discussion of Complaints 20-67 and 20-68.

### **V. GENERAL BUSINESS**

17. The Commission returned to open session at 12:20 p.m.
18. By unanimous consent, the Commission postponed consideration of Complaint 20-11, pending receipt of a written report of staff's preliminary investigation.
19. Upon motion duly seconded, the Commission dismissed Complaint 20-66 as frivolous on a 3-1 vote, with Commissioner Willett dissenting.
20. Upon motion duly seconded, the Commission unanimously dismissed Complaint 20-69 as frivolous.
21. By unanimous consent, the Commission instructed staff to conduct a preliminary investigation in Complaint 20-70.
22. Upon motion duly seconded, the Commission unanimously dismissed Complaint 20-71 as frivolous.

23. Upon motion duly seconded, the Commission unanimously dismissed Complaint 20-72 as frivolous.
24. Commissioner Leone moved to determine Complaint 20-73 non-frivolous with respect to one complaint allegation, then withdrew the motion. By unanimous consent, the Commission instructed staff to complete a preliminary investigation for Complaint 20-73.
25. By unanimous consent (Commissioner Willett recused), the Commission instructed staff to complete a preliminary investigation for Complaint 20-67.
26. By unanimous consent (Commissioner Willett recused), the Commission stayed consideration of Complaint 20-68.
27. The Commission received legal updates from the Office of the Attorney General.
28. Having no further business, the Commission adjourned at 12:35 p.m. The next regular meeting is scheduled for November 17, 2020.

Respectfully Submitted,

Dino Ioannides  
Executive Director  
Colorado Independent Ethics Commission